

CL00L0471 - DIANNE C. MITCHELL

CLAIM OF: JULIUS C. PARKER, JR., as the

child of Julius Parker, Sr. and

DENISE WEST PARKER on

behalf of the minor child of Julius

Parker, Sr., Nicholas Parker,

through their attorney,

Ainsworth G. Dudley

1348 Ponce de Leon Avenue, NE

Atlanta, Georgia 30306

For damages alleged to have been sustained
as a result of a wrongful death on June 18,
1998 at 1983 Martin Luther King, Jr. Drive

THIS ADVERSED REPORT IS
APPROVED

BY:

Rosalind Rubens Newell

ROSALIND RUBENS NEWELL

DEPUTY CITY ATTORNEY

ADVISED REPORT

Public Safety

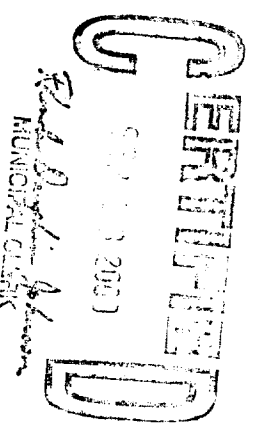
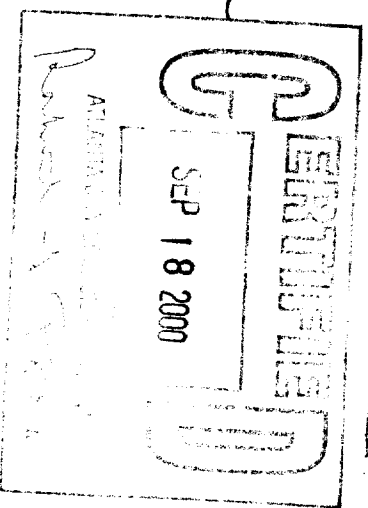
9/12/00

City of Atlanta

Michael R. ...

... Bell

... of the ...



ADVISED SEP 18 2000

September 28, 2000

Ainsworth G. Dudley
Attorney at Law
1348 Ponce deLeon Ave., NE
Atlanta, GA 30306

00-R-1374

RE: Julius C. Park, Jr., as the child of Julius ParkerSr. and
Denise West Parker on behalf of the mionr child of
Julius Parker, Sr., Nicholas Parker

Dear Attorney Dudley:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on January 03, 2000. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division at (404) 330-6400.**

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0471

Date: August 16, 2000

Claimant /Victim JULIUS C. PARKER, JR., as the child of Julius Parker, Sr. and DENISE WEST PARKER
on behalf of the minor child of Julius Parker, Sr., Nicholas Parker

BY: (Atty) Ainsworth G. Dudley

Address: 1346 Ponce de Leon Avenue, NE, Atlanta, Georgia 30306

Subrogation: Claim for Property damage \$ Bodily Injury \$ not stated

Date of Notice: 07/10/00 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.)

Date of Occurrence 06/19/98 Place: 1983 Martin Luther King, Jr. Drive

Department Police Division:

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimants allege their relative died as the result of an altercation with Atlanta police officers. The claimants have filed a lawsuit in United States District Court to resolve the issues raised in their claim.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures Diagrams Reports: Police Dept Report Other

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial

Improper Notice More than Six Months Other X Damages reasonable

City not involved Offer rejected Compromise settlement

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01

Claims Manager: Concur/date 08/16/00

Committee Action: Council Action

AINSWORTH G. DUDLEY

ATTORNEY AT LAW

1348 PONCE DE LEON AVENUE, N.E.

ATLANTA, GEORGIA 30306

TELEPHONE (404) 687-8205

FACSIMILE (404) 687-0689

ENTERED - 8-2-00 - SB
00L0471 - DIANNE MITCHELL

M. Farrell
07/24/00
Di

July 7, 2000

Clerk of Atlanta City Council
Suite 2700, 55 Trinity Avenue, SW
Atlanta, Georgia 30335

Re: Parker et al. v. City of Atlanta et al.
U.S. District Court
Civil Action File No. 1:00-CV-1698

Dear Sir or Madam:

You are notified that a lawsuit has been filed against the City of Atlanta in the United States District Court for the Northern District of Georgia, civil action file number 1:00-CV-1698. A copy of the Complaint, Mandatory Disclosures, Notice of Availability of Magistrate Judge and Consent to Exercise Jurisdiction and Instructions Regarding Pre-Trial Proceedings are enclosed.

We also enclose a copy of Notice of Lawsuit and Request for Waiver of Service of Summons, two copies of Waiver of Service of Summons and a self addressed return envelope postage pre-paid. As you will see from the Notice of Lawsuit and Request for Waiver of Service of Summons, the purpose of this letter is to request pursuant to Rule 4 of the Federal Rules of Civil Procedure that you waive service of the summons. Although waiver of service of summons is optional, you may be required to pay the costs of service of summons, including attorney fees, in the event you decline to waive service and we formally serve you with process. If you agree to waive service, please sign one of the enclosed Waiver of Service of Summons and mail it to this office in the enclosed, self-addressed envelope within thirty days.

If you have any questions about this matter, please contact me.

Sincerely Yours,

Ainsworth G. Dudley

AGD: sm

Encs.

CC: H. Pierre, Jr., Esq. (w/o encs.)

00- -1374

RCS# 2218
9/18/00
2:15 PM

Atlanta City Council

Regular Session

CONSENT

PAGES: 1-19

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Y McCarty
Y Starnes
Y Bond
Y Winslow
Y Dorsey
NV Woolard
Y Morris
Y Muller

Y Moore
B Martin
Y Maddox
Y Boazman

Y Thomas
Y Emmons
Y Alexander
NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
00-R-1321
00-R-1322
00-R-1388
00-O-1435

CORRECTED COPY

CONSENT

		09/18/00 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA		ITEMS ADVERSED ON CONSENT AGENDA
1. 00-O-1234 2. 00-O-1007 3. 00-O-1015 4. 00-O-1427 5. 00-O-1429 6. 00-O-1432 7. 00-R-1387 8. 00-R-1392 9. 00-R-1395 10. 00-R-1452 11. 00-R-1340 12. 00-R-1323 13. 00-R-1433 14. 00-R-0560 15. 00-R-0561 16. 00-R-1454 17. 00-R-1299 18. 00-R-1308 19. 00-R-1334 20. 00-R-1335 21. 00-R-1338 22. 00-R-1394 23. 00-R-1331 24. 00-R-1330 25. 00-R-1332 26. 00-R-1333 27. 00-R-1337 28. 00-R-1339 29. 00-R-1419 30. 00-R-1426 31. 00-R-1342 32. 00-R-1343 33. 00-R-1344 34. 00-R-1345 35. 00-R-1346 36. 00-R-1347 37. 00-R-1348 38. 00-R-1349 39. 00-R-1350 40. 00-R-1351	41. 00-R-1352 42. 00-R-1353 43. 00-R-1397 44. 00-R-1398 45. 00-R-1399 46. 00-R-1400 47. 00-R-1401 48. 00-R-1402 49. 00-R-1403 50. 00-R-1404	51. 00-R-1357 52. 00-R-1358 53. 00-R-1359 54. 00-R-1360 55. 00-R-1362 56. 00-R-1363 57. 00-R-1364 58. 00-R-1365 59. 00-R-1366 60. 00-R-1367 61. 00-R-1368 62. 00-R-1369 63. 00-R-1370 64. 00-R-1371 65. 00-R-1372 66. 00-R-1373 67. 00-R-1374 68. 00-R-1375 69. 00-R-1376 70. 00-R-1377 71. 00-R-1378 72. 00-R-1379 73. 00-R-1380 74. 00-R-1381 75. 00-R-1382 76. 00-R-1383 77. 00-R-1384 78. 00-R-1385 79. 00-R-1386 80. 00-R-1405 81. 00-R-1406 82. 00-R-1407 83. 00-R-1408 84. 00-R-1409 85. 00-R-1410 86. 00-R-1411 87. 00-R-1412 88. 00-R-1413